

Appl. No. : 10/661,412  
Filed : September 11, 2003

### **REMARKS**

The March 22, 2006 Office Action was based upon pending Claims 1–26. By this Response, Applicant is amending Claims 1, 8, 9, 12–15 and 17 and is cancelling Claim 7 without prejudice or disclaimer. Claims 2–6, 10, 11, 16, and 18–26 remain as originally filed.

Thus, after entry of the foregoing amendments, Claims 1–6 and 8–26 are pending and presented for further consideration. In view of the foregoing amendments and the remarks set forth below, Applicant submits that Claims 1–6 and 8–26 are in condition for allowance.

### **SUMMARY OF OBJECTIONS AND REJECTIONS**

The March 22, 2006 Office Action rejected Claims 1–26 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,003,531 to Holenstein, et al. (“Holenstein”).

### **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Submitted concurrently herewith is a Supplemental Information Disclosure Statement citing five (5) references, which were cited during the prosecution of a co-pending related U.S. patent application. While Applicant does not believe that these references will affect the patentability of the pending claims, Applicant respectfully requests the Examiner to consider the pending claims in connection with these references in order to make them of record.

### **CANCELLED CLAIM 7**

By the foregoing amendments, Applicant has cancelled dependent Claim 7 without prejudice or disclaimer and has incorporated the limitations of dependent Claim 7 into independent Claim 1.

### **CLAIM REJECTIONS UNDER 35 U.S.C. § 102(e)**

The Office Action rejected Claims 1–6 and 8–26 as being anticipated by Holenstein. In view of the foregoing amendments and for at least the reasons set forth below, Applicant respectfully disagrees and requests reconsideration of Claims 1–6 and 8–26.

**Amended Independent Claim 1**

As discussed above, amended independent Claim 1 incorporates the limitations of cancelled Claim 7. In particular, Claim 1 recites a method for providing highly-available database clusters that replicate at least one data file. The method includes, among other things, receiving data requests from a client application over a first client connection. The method also includes forwarding: (1) each data request to a first database management system (DBMS) of a first computing system and (2) each data request and an associated timestamp to a memory. The timestamps of the data requests are compared with timestamps of replication data, which indicates changes made to data of a first data file based on the data requests.

When one or more of the data requests are determined to be redundant to one or more of the replication data based on the timestamps, the method purges either (a) one or more of the data requests or (b) one or more of the replication data. The method also forwards the other of (a) and (b) to a second database management system of a second computing system.

The method further includes determining a need to move the first client connection to a second client connection with the second computing system and moving the first client connection to the second client connection in a manner allowing the client application to not fail.

**Holenstein Does Not Disclose Client Connection Fail-Over**

Holenstein does not disclose the method of Claim 1. For example, Holenstein does not disclose a method for providing highly-available database clusters that replicate data files and provide for client connection fail-over. Rather, Holenstein appears to concern the synchronization of databases in a database replication system. For instance, Columns 5–10, which the Office Action generally cites as disclosing every claim of the present application, disclose a system and method for replicating a source database to a target database.

The Holenstein system does not appear to relate in any way to a database cluster having multiple computing systems that communicate with the same client application and that provide for client connection fail-over. Furthermore, Holenstein

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does not disclose determining a need to move and moving a first client connection (between the first computing system and the client application) to a second client connection (between the second computing system and the client application) in a manner allowing the client application to not fail, as recited by amended independent Claim 1.

Although Applicant reviewed the six columns of Holenstein's disclosure cited by the Office Action as disclosing each of Applicant's claims, Applicant was unable to find which specific portions of this general disclosure anticipate Applicant's claims. For example, at least a third of the cited disclosure concerns definitions that do not appear to be related to Applicant's claims. If the Examiner maintains the anticipation rejection in a subsequent Office Action, Applicant respectfully requests the Examiner to point out more specific portions of Holenstein that support such a rejection.

#### **Summary**

Because Holenstein does not disclose each limitation of amended Claim 1, Applicant asserts that amended independent Claim 1 is not anticipated by Holenstein, and Applicant respectfully requests allowance of Claim 1.

#### **Amended Independent Claim 17**

Amended Independent Claim 17 is believed to be patentably distinguished over the cited art for reasons similar to those set forth above with respect to the patentability of independent Claim 1 and for the different aspects recited therein.

#### **Dependent Claims 2-6, 8-16 and 18-26**

Claims 2-6 and 8-16 depend from amended independent Claim 1 and are believed to be patentably distinguished over the cited art for the reasons set forth above with respect to Claim 1 and for the additional features recited therein.

Claims 18-26 depend from amended independent Claim 17 and are believed to be patentably distinguished over the cited art for the reasons set forth above with respect to Claim 17 and for the additional features recited therein.

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**REQUEST FOR TELEPHONE INTERVIEW**

Pursuant to M.P.E.P. § 713.01, in order to expedite prosecution of this application, Applicant's undersigned attorney of record hereby formally requests a telephone interview with the Examiner as soon as the Examiner has considered the effect of the arguments presented above. Applicant's attorney can be reached at the general office number listed below.

**CONCLUSION**

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain, the Examiner is cordially invited to contact the undersigned such that the issues may be promptly resolved.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 7/21/2006

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